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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

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SOUTH FORK BAND COUNCIL OF  
WESTERN SHOSHONE OF NEVADA;  
TE-MOAK TRIBE OF WESTERN SHOSHONE  
INDIANS OF NEVADA;  
TIMBISHA SHOSHONE TRIBE;  
WESTERN SHOSHONE DEFENSE PROJECT;  
and GREAT BASIN RESOURCE WATCH,

Plaintiffs,

v.

UNITED STATES DEPARTMENT OF THE  
INTERIOR; UNITED STATES BUREAU OF  
LAND MANAGEMENT; GERALD M. SMITH,  
District Manager, Battle Mountain, Field Office,

Defendants.

BARRICK CORTEZ, INC.

Defendant-Intervenor

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Case No: 08-CV-616-LRH-RAM

JOINT MOTION FOR BRIEFING  
SCHEDULE ON PENDING  
MOTIONS FOR PRELIMINARY  
INJUNCTION

Plaintiffs, South Fork Band Council of Western Shoshone of Nevada, Te-Moak Tribe of Western Shoshone Indians of Nevada, Timbisha Shoshone Tribe, Western Shoshone Defense Project, and Great Basin Resource Watch (collectively, “the Tribes”), the Bureau of Land Management, et al. (“BLM”), and Barrick Cortez, Inc. (“Barrick”) file this Joint Motion to establish a briefing schedule regarding the pending Motions for preliminary injunction filed by the Tribes (Docket # 135) and Barrick (Docket # 133).

Under the local rules of this court, and due to the staggered timing of the two injunction Motions, the briefing schedule for the two pending injunction Motions would result in the parties filing many multiple briefs with various due dates responding and replying to the briefs filed by the other parties. Under the local rules, the current schedule is as follows:

BLM’s Response to Barrick’s motion;	Feb. 11
Barrick’s Reply to Plaintiffs’ Response <sup>1</sup> :	Feb. 16
BLM’s Response to Plaintiffs’ Motion:	Feb. 22
Barrick’s Response to Plaintiffs’ Motion:	Feb. 22
Barrick’s Reply to Plaintiffs’ Response:	Feb. 19
Barrick’s Reply to BLM’s Response:	Feb. 25
Plaintiffs’ Reply to BLM’s Response:	March 8
Plaintiffs’ Reply to Barrick’s Response:	March 8

In order to minimize the number of briefs submitted to this court, and to streamline the briefing schedule, the parties jointly propose the following briefing schedule:

BLM’s Response to both Barrick’s and Plaintiffs’ Motions:	Feb. 22
Barrick’s Response to Plaintiffs’ Motion and Reply to BLM’s and Plaintiffs’ Responses:	March 8
Plaintiffs’ Reply to Barrick’s and BLM’s Responses to Plaintiffs’ Motion:	March 19

The parties further propose that each brief submitted by the parties be limited to a maximum of 30 pages in length. This briefing schedule is independent of, and would not affect, the briefing schedule previously established by this court regarding the parties’ motions for summary judgment (Docket # 131). A proposed Order is attached.

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<sup>1</sup> The Tribes previously filed their Response in Opposition to Barrick’s injunction Motion when the Tribes submitted their injunction Motion (Docket # 135).

Respectfully submitted this 8<sup>th</sup> day of February, 2010.

*/s/ Roger Flynn*

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*/s/ Ty Bair (with permission)*

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*/s/ Francis Wikstrom (with permission)*

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